

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL FORM

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Total Number of Pages in This Submission (including this sheet)

Application Number	10/769,551
Filing Date	January 30, 2004
First Named Inventor	Steel et al.
Group Art Unit	3742
Examiner Name	
Attorney Docket No.	2562.SMII.NP

	ENCLOSURES (check all that apply)					
□ Amendment / Response □ After Final □ Affidavits/declaration(s) □ Appeal Communication: □ Appeal Notice □ Appeal Brief □ Reply Brief □ Assignment with Cover Sheet	□ Extension of Time Request					
☐ Certified Copy of Priority Document(s)	Remarks	•				
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☐ Declaration & Power of Attorney						
☐ Drawings sheets						
☐ Formal ☐ Informal						
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MORR 136 Sc Salt La	 V. O'Bryant, Registration No. 39,793 ISS O'BRYANT COMPAGNI, P.C. uth Main Street, Suite 700 ke City, Utah 84101 78-0071 telephone; (801) 478-0076 					
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.						
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Steel et al.

SERIAL NO.:

10/769,551

FILING DATE:

January 30, 2004

TITLE:

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TEMPERATURE ALLOYS

ART UNIT:

3742

EXAMINER:

DOCKET NO.:

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.98(a)(1), enclosed is Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed, pursuant to 37 C.F.R. § 1.97 (b), within three months of the filing date of the application, within three months of the date of entry of the national stage set forth in § 1.491or before the mailing date of a first Office action on the merits. Applicant requests that the references cited in the enclosed form PTO-1449 be made of record in the above-captioned application. While no representation is made that any of the references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or

patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no reference which is more relevant to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with the waiver of 37 C.F.R. § 1.98(a)(2)(i) published in the Official Gazette on August 5, 2003 for U.S. patent applications filed after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed. Applicant has submitted copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. § 1.98 (a)(2). Any listed reference that is not in the English language is accompanied by a concise explanation in English of its relevance as required under 37 C.F.R. § 1.98(a)(3)(i).

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0881.

DATED this 22 day of October, 2004.

Respectfully submitted,

David W. O'Bryant

Attorney for Applicant Registration No. 39,793

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US-5,975,406

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			U.S. PATENT DO	CUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-4,144,110	March 13, 1979	Luc	
		US-5,460,317	Oct. 24, 1995	Thomas et al.	
		US-5,611,479	March 18, 1997	Rosen	
		US-5,697,511	Dec. 16, 1997	Bampton	
•		US-5,713,507	Feb. 3, 1998	Holt et al.	
		US-5,718,366	Feb. 17, 1998	Colligan	
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		US-5,769,306	June 23, 1998	Colligan	
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		US-5,811,755	Sep. 22, 1998	McGee	
		US-5,813,592	Sep. 29, 1998	Midling et al.	
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		US-5,971,247	Oct. 26, 1999	Gentry	
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	FOREIGN PATENT DOCUMENTS						
Examiner Cite		Foreign Patent Document	Publication Date		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Τ°
Initials*	No.¹	Country Code 3 - Number 4 - Kind Code 5 (if known)	MM-DD-YYYY	Document	Passages or Kelevant Figures Appear		
		EP 0 797 043 A2	Sep. 24, 1997	EP			
		EP 0 810 054 A1	Dec. 3, 1997	EP			
		EP 0 810 055 B1	Dec. 22, 1999	EP			
		EP 0 810 056 A3	Dec. 2, 1998	EP			
		EP 0 833 097 A2	April 1, 1998	EP			

Mahoney et al.

Nov. 2, 1999

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Examiner		l Date	
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Signature	 	Considered	

EXAMINER: Initial if reference considered, whether or not citation in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy

of this form with next communication to applicant.

Applicant's unique citation designation number (optional).

See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Kind document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

Applicant is to place a check mark here if English language translation is attached.

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U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite		Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Initials	No.¹	Number-Kind Code ² (if known)	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figure Appear
		US-6,045,027	April 4, 2000	Rosen et al.	
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		US-6,050,474	April 18, 2000	Aota et al.	
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		EP 0 867 254 A1	Sep. 30, 1998	EP		
		EP 0 888 843 A1	Jan. 7, 1999	EP		
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				Application Number Filing Date First Named Inventor Group Art Unit Examiner Name		10/769,551 January 30, 2004 Steel et al. 3742								
							Sheet	eet of			Attorney Docket		2562.SMII.NP	
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	Examiner	Date
	Signature	Considered

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Nov. 18, 1999

Dec. 23, 1999

WO 99/58288

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